

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

JAMES E. WRIGHT,	:	
Plaintiff,	:	Case No. 3:11mc00011
vs.	:	District Judge Timothy S. Black
	:	Magistrate Judge Sharon L. Ovington
MONTGOMERY COUNTY	:	
JUVENILE COURT,	:	
Defendant.	:	
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**REPORT AND RECOMMENDATIONS<sup>1</sup>**

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On October 24, 2011, James E. Wright filed a document in this Court titled “Motion to Stop Proceedings” (Doc. #1). He did not pay the required \$350 filing fee, *see* 28 U.S.C. §1914(a), or apply to proceed in forma pauperis, *see* 28 U.S.C. §1915. Consequently, the Court ordered him to show cause – on or before November 29, 2011, why this case should not be dismissed for failure to prosecute, failure to pay the required filing fee, or failure to file an application to proceed in forma pauperis. (Doc. #3). The Order further placed Plaintiff “on notice that if he does not file a timely response to this Order to Show Cause, his present miscellaneous case may be dismissed.” *Id.*

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<sup>1</sup> Attached hereto is a NOTICE to the parties regarding objections to this Report and Recommendations.

Plaintiff has not responded to the Order to Show Cause and has not paid the required-filing fee or applied to proceed in forma pauperis. His inaction warrants dismissal of the instant case. *See Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962); *see also Jourdan v. Jabe*, 951 F.2d 108, 110 (6th Cir. 1991).

**IT IS THEREFORE RECOMMENDED THAT:**

1. James E. Wright's Motion to Stop Proceedings (Doc. #1) be denied; and
2. This miscellaneous case be terminated on the docket of this Court.

December 2, 2011

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s/Sharon L. Ovington  
Sharon L. Ovington  
United States Magistrate Judge

## NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed. R. Civ. P. 6(d), this period is extended to seventeen days because this Report is being served by one of the methods of service listed in Fed. R. Civ. P. 5(b)(2)(C), (D), (E), or (F). Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof.

Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F.2d 947 (6<sup>th</sup> Cir. 1981); *Thomas v. Arn*, 474 U.S. 140 (1985).